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GOVERNMENT GAZETTE

BOLETIM OFICIAL

GOVERNMENT OF GOA, DAMAN AND DIU

Secretariat

Notification

CIDP/VPT/1449/66

In exercise of powers conferred by clause (k) of sub-section (2) of section 65 of the Goa, Daman and Diu Village Panchayats Regulation, 1962, the Lt. Governor of Goa, Daman and Diu is pleased to make the following rules:

1) These Rules shall be known as the Goa, Daman and Diu Village Panchayats (Accounts and Audit and Custody of Funds-First Amendment) Rules, 1966.

2) In rule 2 (b) of the Goa, Daman and Diu Village Panchayats (Accounts and Audit and Custody of Funds), Rules, after the words «the State Bank of India» the words «or the State Cooperative Bank» shall be added.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. P. Balasubramanian, Development Commissioner.

Panjim, 23rd June, 1966.

Notification

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of External Affairs letter no. F.7(11)/62-Goa dated the 25th July 1963, the Administrator of Goa, Daman and Diu is pleased to make the following rules relating to the recruitment to the Subordinate Revenue Service (non-gazetted) (non-ministerial) under the Government of Goa, Daman and Diu.

1. Short title. — These rules may be called Goa Government Subordinate Revenue Service (non-gazetted) (non-ministerial) Recruitment Rules, 1966.

2. Application. — These rules shall apply to the posts specified in column 1 of the Schedule to these rules.

3. Number, classification and scale of pay. — The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule.

4. Method of recruitment, age limit and other qualifications. — The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 13 of the aforesaid Schedule.

Provided that,

(a) the maximum age limit specified in the Schedule in respect of direct recruitment may be relaxed in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes and other special categories in accordance with the orders issued by the Government from time to time; and

(b) no male candidate, who has more than one wife living and no female candidate, who has married a person having already a wife living, shall be eligible for appointment, unless the Government, after having been satisfied that there are special grounds for doing so, exempts any such candidate from the operation of this rule.

5. These rules will come into effect from the date of the Notification and will relate to appointments to the various posts made on or after this date. An appointment made prior to this date through a duly constituted Staff Selection Board/Departmental Promotion Committee will be deemed to be a regular appointment, notwithstanding any provisions contained in these rules; and the probation period in that case will extend to six months only from the date of this notification.

G. K. Bhanot
Chief Secretary

Panjim, 26th May, 1966.

SCHEDULE

Name of post	No. of posts	Classification	Scale of Pay	Whether Selection Post or non-Selection Post	Age limit for direct recruits	Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation any	Method of recruitment whether by direct recruitment or by promotion/transfer and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/transfer, grades from which promotion/deputation/transfer to be made	If a DPC exists, what is its composition making recruitment	Circumstances in which U. P. S. C. is to be consulted in making recruitment
1	2	3	4	5	6	7	8	9	10	11	12	13
Aval-Kar-kuns	11 (and as may stand sanctioned from time to time).	Class III (Non-misterial) (Non-gazetted)	Rs. 150-10-200-EB-300	Selection	21-25 years.	A bachelor's degree from a recognised University or equivalent.	N. A.	Two years	Promotion—50% Direct recruitment—50% (Promotion, failing which, direct recruitment, failing both, transfer/deputation); subject to an initial recruitment to the posts from amongst the Upper Division Clerks and erstwhile III grade officers having experience of the revenue, taxation, land survey or civil administration departments for a minimum period of two years.	Promotion—Circle Inspectors with two years' experience. Transfer/deputation—officials holding analogous posts in any State Government (The period of deputation will normally be three years).	Class III under the D.P.C. Rules.	As required under the Rules.
Circle Inspectors	11 (and as may stand sanctioned from time to time).	Do	Rs. 130-5-160-8-200-EB-8-250-EB-8-280-10-300	Selection	21-25 years.	Intermediate/Senior Cambridge/Higher Secondary Certificate or equivalent qualifications.	N. A.	Two years	Promotion, failing which deputation/transfer, failing which, direct recruitment.	Promotion—Talatis with 3 years standing in the grade. Transfer/deputation—officials holding analogous posts in any state Government. (Period of deputation will normally be 3 years).	Do	Do
Talatis	159 (and as may stand sanctioned from time to time).	Do	Rs. 85-2-95-3-110-EB-3-128	—	18-23 years (Relaxable for Government servants).	VIIIth Class with English or equivalent.	—	Two years	Direct recruitment.	—	—	—

@ N. B.—The candidates (both direct and promotees) will be deemed to have completed satisfactorily, the period of probation only after they have passed the departmental examination.

Home Department

Notification

HD-25-9584/65

The following draft rules are hereby pre-published as required by Sub-Section (1) of Section 133 of the M. V. Act, 1939, for the information of the persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration, on or after 25th July 1966 together with objections or suggestions that may be received in respect thereto before the date specified.

DRAFT RULES

In exercise of the powers conferred by section 111A of the M. V. Act, 1939 as extended to the Union Territory of Goa, Daman and Diu and all other powers enabling him in that behalf, the Administrator of Goa, Daman and Diu hereby makes the following rules.

The Goa, Daman and Diu Motor Accident Claims Tribunal Rules 1966

1. Short title, extent and commencement. — (1) These rules may be called the Goa, Daman and Diu Motor Accident Claims Tribunals Rules, 1966.

(2) These rules shall extend to the whole of the Union Territory of Goa, Daman and Diu.

(3) These rules shall come into force on

2. Definition. — In these rules, unless the context otherwise requires:—

(a) «Act» means the Motor Vehicles Act, 1939.

(b) «Claims Tribunal», means a Motor Accidents Claims Tribunal constituted under section 110 of the Act;

(c) «Legal representatives», shall have the meaning assigned to it under clause (II) of section 2 of the Code of Civil Procedure, 1908.

3. Procedure regarding compensation arising out of accidents. — (1) An application for compensation arising out of an accident of the nature specified in sub-section (1) of section 110 by persons specified in sub-section (1) of section 110A of the Act made to the Motor Accidents Claims Tribunal having jurisdiction over the area in which the accident occurred shall be in Form Comp. A. of the schedule appended to these rules and shall contain the particulars specified in that form.

(2) Every such application shall be sent to the Tribunal or to the Chairman in case the Tribunal consists of more than one member, by registered post or may be presented to such member of the staff of the Tribunal as the Tribunal, or as the case may be, the Chairman may authorise for the purposes and, if so sent or presented, shall, unless the Tribunal or Chairman otherwise directs, be made in duplicate and shall be signed by the applicant.

(3) There shall be appended to every application a certificate which shall be signed by the applicant to the effect that the statement of facts contained

in the application is to the best of his knowledge and belief true.

4. Fees. — (1) An application for compensation under rule 3 shall be accompanied by a fee of Rs. 10/- in the form of court fee stamps.

(2) The Claims Tribunal may accept from a party, the payment of fee prescribed under Sub-rule 1:—

Provided that where a claim of a party has been accepted by the Claims Tribunal, the party shall have to pay the prescribed fee, exemption in respect of which has been granted initially before a copy of the judgment is obtained.

5. Experts. — (1) The Claims Tribunal may for the purpose of adjudication upon any claim for compensation, choose not more than two persons having technical or special knowledge with respect to any matter before the Tribunal for the purpose of assisting the Tribunal in the holding of the enquiry.

(2) The expert shall perform such functions as the Tribunal may direct.

(3) The remuneration, if any, to be paid to the expert shall in every case be determined by the Tribunal.

6. Exercise of powers by Claims Tribunal. — The Claims Tribunal may exercise all the powers of a Civil Court save in so far as the same are not inconsistent with the provisions of the Motor Vehicles Act, 1939 and the rules framed thereunder.

7. Examination of applicant. — On receiving an application under rule 3, the Claims Tribunal may examine the applicant upon oath, and the substance of such examination shall be reduced to writing and shall be signed by the member constituting the Tribunal or as the case may be, the Chairman.

8. Summary dismissal of application. — The Claims Tribunal may, after considering the application and the statement, if any, of the applicant recorded under rule 7, summarily dismiss the application, if, for reasons to be recorded, the Tribunal is of opinion that there are not sufficient grounds for proceeding therewith.

9. Notice to opposite party. — If the application is not dismissed under rule 8, the Claims Tribunal shall send to the insurer or the owner of the motor vehicle from whom the applicant claims relief (hereinafter referred to as the opposite party), a copy of the application, together with a notice of the date on which he will dispose of the application, and may call upon the parties to produce upon that date any evidence which they may wish to tender.

10. Appearance and examination of opposite party. — (1) The opposite party may, and if so required by the Claims Tribunal, shall, at or before the first hearing or within such time as the Claims Tribunal may permit, file a written statement dealing with the claims raised in the application, and any such written statement shall form part of the record.

(2) If the opposite party contests the claim, the Claims Tribunal may, and if no written statement has been filed, shall proceed to examine him upon

the claim and shall reduce the result of the examination to writing.

11. **Framing of issues.** — After considering any written statement and the result of any examination of the parties, and of any local inspection the Claims Tribunal shall ascertain upon what material propositions of fact or of law the parties are at variance, and shall thereupon proceed to frame and record the issues upon which the right decision of the case appears to him to depend.

12. **Determination of issue.** — After framing the issues, the Claims Tribunal shall proceed to record evidence thereon which each party may desire to produce.

13. **Method of recording evidence.** — The member constituting the Claims Tribunal or the Chairman thereof shall make a brief memorandum of the substance of the evidence of every witness as examination of the witness proceeds and such memorandum shall be written and signed by the member or the Chairman thereof with his own hand and shall form part of the record.

Provided that, if the member or the Chairman is prevented from making such memorandum, he shall record the reason of his inability to do so and shall cause such memorandum to be made in writing from his dictation and shall sign the same, and such memorandum shall form part of the record. Provided further that the evidence of any medical witness shall be taken down as nearly as may be word for word.

14. **Local Inspection.** — (1) The Claims Tribunal may, at any time during the course of an inquiry before it, visit the site at which the accident occurred for the purpose of making a local inspection or examining any persons likely to be able to give information relevant to the proceedings.

(2) Any party or the representative of any party may accompany the Claims Tribunal for a local inspection.

(3) The Claims Tribunal after making a local inspection, shall note briefly in a memorandum any facts observed, and shall show the memorandum to any party who desires to see the same, and shall supply any party with a copy thereof.

(4) The memorandum shall form part of the record.

15. **Power of summary examination.** — (1) The Claims Tribunal during a local inspection or at any other time, save at a formal hearing of a case pending before it may examine summarily any person likely to be able to give information relating to such case, whether such person has been or is to be called as a witness in the case or not, and whether any or all of the parties are present or not.

(2) No oath shall be administered to a person examined under sub-rule (1).

16. **Diary.** — The Claims Tribunal shall maintain a brief diary of the proceedings initiated on application.

17. **Reasons for postponement to be recorded.** — If the Claims Tribunal finds it impossible to dispose of an application at one hearing, it shall record the

reasons which necessitate the postponement. And also inform the parties present of the date of adjourned hearing.

18. **Judgment and award of compensation.** — (1) The Claims Tribunal in passing orders, shall record concisely in a judgment the findings on each of the issues framed and the reasons for such findings and make an award specifying the amount of compensation to be paid by the insurer and also person or persons to whom compensation shall be paid.

(2) Where compensation is awarded to two or more persons, the Claims Tribunal shall also specify the amount payable to each of them.

19. **Summoning of witnesses.** — If an application is presented by any party to the proceedings for citation of witnesses, the Claims Tribunal shall, on payment of such expenses and fees, if any, as it may determine, issue summonses for the appearance of such witnesses, unless it considers that their appearance is not necessary for a just decision of the case.

20. **Appearance of legal practitioner.** — The Claims Tribunal may, in its discretion, allow any party to appear before it through a legal practitioner.

21. **Receipt for compensation.** — Upon payment of compensation, a receipt shall be obtained by the Claims Tribunal and such receipt shall be forwarded to the insurer concerned or as the case may be, the owner of the vehicle, for purpose of record.

22. **Code of Civil Procedure to apply in certain cases.** — In so far as these rules make no provision or make insufficient provisions, the Claims Tribunal shall follow the procedure laid down in the Code of Civil Procedure, 1908 (V of 1908) for the trial of suits.

23. **Savings.** — Notwithstanding anything contained in these rules, in the case of a minor accident, the Claims Tribunal may follow such summary procedure as it thinks fit.

24. **Form of appeal and contents of memorandum.** (1) Every appeal against the award of the Claims Tribunal shall be preferred in the form of a memorandum signed by the appellant of an Advocate or Attorney of the High Court duly authorised in that behalf by the applicant and presented to the High Court or to such Officer as it appoints in this behalf. The memorandum shall be accompanied by a copy of the award.

(2) The memorandum shall set forth concisely and under distinct heads the grounds of objection to the award appealed from without any argument or narrative, and such grounds shall be numbered consecutively.

(3) Save as provided in sub-rules (1) and (2), the provisions of Order XLI and Order XXI in the First Schedule to the Code of Civil Procedure, 1908 (V of 1908), shall mutatis mutandis apply to appeals preferred to the High Court under section 110-D.

By order and in the name of the Administrator of Goa, Daman and Diu.

A. V. Vaz, Under Secretary.

Panjim, 29th June, 1966.

FORM COMP. A

Form of application for compensation

(See rule 3)

An application for compensation arising out of motor accident

To

The Motor Accidents Claims Tribunal,

...

... residing at ... Applicant (s);
verses.

... residing at ... opposite party.

1. Full name (s) @ of applicant (s) with age

i) ...

ii) ...

iii) ...

2. If accident has caused death.

(a) relationship of each applicant with the deceased ...

...

(b) age of deceased ...

3. Local address of applicant ...

...

4. Permanent address of applicant ...

...

5. Monthly income of injured person or deceased ...

6. Nature of injuries sustained and disablement caused ...

...

7. Date and place of accident ...

...

8. Registration mark of the motor vehicle involved ...

9. Name and address (if known) of : ...

(a) driver of the motor vehicle ...

(b) owner of the motor vehicle ...

(c) insurer of the motor vehicle ...

10. Brief particulars of the accident ...

...

11. Quantum of compensation claimed (and basis thereof ...

12. Grounds on which compensation claimed (mention
briefly the cause of action) ...

...

13. Whether demand for compensation has been made, if so,
when and with what result ...

...

14. If claim for compensation is not made within sixty days
of the accident the grounds thereof ...

...

I hereby certify that the statement of facts mentioned above
true are to the best of my knowledge and belief.

Dated: —

Signature of claimant or
authority agent.

Industries and Labour Department

ORDER

LC/6/66

The following notification from the Government of India, Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) is hereby republished for information of all concerned.

B. K. Chougule, Secretary, Industries and Labour Department.

Panjim, 6th June, 1966.

GOVERNMENT OF INDIA

MINISTRY OF LABOUR, EMPLOYMENT
AND REHABILITATION

(Department of Labour and Employment)

Dated New Delhi, the 20th May, 1966

Notification

S. O. — In exercise of the powers conferred by sub-section (1) of section 22 of the Personal Injuries (Compensation Insurance) Act, 1963 (37 of 1963), the Central Government hereby makes the following rules further to amend the Personal Injuries (Compensation Insurance) Rules, 1965, namely:

1. These rules may be called the Personal Injuries (Compensation Insurance) Third Amendment Rules, 1966.
2. In the Personal Injuries (Compensation Insurance) Rules, 1965, in clause (a) of rule 6, for the expression «15th May», the expression «30th June», shall be substituted.

[No. 3/25/66-Spl. (ii)]

VIDYA PRAKASH

Deputy Secretary to the Government of India.

ORDER

LC/6/66

The following notification of the Government of India is hereby re-published for the information of all concerned.

By order and in the name of the Administrator of Goa, Daman and Diu.

B. K. Chougule, Secretary, Industries and Labour Department.

Panjim, 14th June, 1966.

Dated New Delhi the 12th May, 1966

Notification

15/3/65-PF.II(4)

G. S. R. — In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies every establishment

which is a factory engaged in the manufacture of any of the items mentioned in the Schedule below, and in which fifty or more persons are employed, as an establishment to which the said proviso shall apply with effect from the 1st June, 1966.

SCHEDULE

1. Biscuit making industry including composite units making biscuits and products, such as bread, confectionery and milk and milk powder;
2. Plywood industry;
3. Automobile repairing and servicing industry;
4. Rice milling industry;
5. Dal milling industry; and
6. Flour milling industry.

DALJIT SINGH
Under Secretary

ORDER

LC/6/66

The following notification of Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) is hereby re-published for the information of all concerned.

By order and in the name of the Administrator of Goa, Daman and Diu.

B. K. Chougule, Secretary, Industries and Labour Department.

Panjim, 14th June, 1966.

Dated New Delhi the 12th May, 1966

Notification

15/3/65-P.F.II

G. S. R. — In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies every Road Motor Transport establishment in which fifty or more persons are employed, as an establishment to which the said proviso shall apply with effect from the 1st June, 1966.

DALJIT SINGH
Under Secretary

Mormugao Port Trust

Notification

MPT/IGA(E.682)-I/66

As required under Section 124 of the Major Port Trusts Act, 1963, the following Regulations which have been adopted by the Board of Trustees are hereby published.

1. Short title and commencement. — These regulations shall be called the Mormugao Port Employees (Pension and Gratuity) Regulations, 1966.

(b) They shall come into force with effect from —

2. Application. — (a) These regulations shall apply to: —

- (i) all employees appointed to the M. P. T. service on or after the regulations have come into force;
- (ii) all employees who were, in the service of the M. P. T. before the promulgation of these regulations, other than those mentioned in clause (b) below; and
- (iii) other employees who may be permitted to opt for these regulations.

(b) These regulations shall Not apply to: —

- (i) employees contributing to the Mormugao Port Employees' Contributory Provident Fund;
- (ii) employees contributing to the Portuguese Pension Scheme;
- (iii) employees who retired before but may be re-employed on that date or thereafter;
- (iv) employees paid from Contingencies;
- (v) work-charged establishment;
- (vi) casual labour;
- (vii) employees taken on contract basis.

3. Definitions. — In these regulations, unless there is anything repugnant in the subject or context —

- (i) "Accounts Officer" means the FA & CAO of the Board.
- (ii) "Act" means the Major Port Trusts Act, 1963;
- (iii) "Board" means the Board of Trustees of the Port of Mormugao appointed under the Act;
- (iv) "Chairman" means the Chairman of the Board of Trustees;
- (v) "Leave" means any kind of leave recognised by the Fundamental Rules of the Central Government or by the Leave Regulations, if any, framed by the Board, whichever may be applicable to the employees;
- (vi) "Month" means a calendar month;
- (vii) "Pension" — Except when the term "Pension" is used in contradistinction to Gratuity, "Pension" includes gratuity;
- (viii) "Cadre", "Deputation", "Foreign Service", "Officiate", "Permanent Post", "Personal Pay", "Same time scale", "Special Pay", "Substantive Pay", "Temporary Post" and "Tenure Post" shall have the meaning as defined in the Fundamental Rules of the Central Government or in the regulations, if any, framed by the Board, whichever may be applicable to the employee.

General Regulations

SECTION II

Extent of Applications:

4. A pensionable employee's claim to pension shall be regulated by the regulations in force at the time when his service with the Port Trust terminates.

5. Every pension shall be held to have been granted subject to the provisions of these regulations.

6. Future good conduct shall be an implied condition of every grant of a pension. The Board reserves to itself the right of withholding or withdrawing a pension or any part of it, if the pensioner be convicted of serious crime or be guilty of grave misconduct.

The decision of the Board on any question of withholding or withdrawing the whole or any part of a pension under this regulation shall be final and conclusive.

7. The Board reserves to itself the right of withholding or withdrawing a pension or any part of it, whether permanently or for a specified period and the right of ordering the recovery from a pension of the whole or part of any pecuniary loss caused to the Board, if, in a departmental or judicial proceeding, the pensioner is found guilty of grave misconduct or negligence during the period of his service including service rendered upon re-employment after retirement:

Provided that:—

- (a) such departmental proceeding, if instituted while the employee was in service, whether before his retirement or during his re-employment, shall, after the final retirement of the employee, be deemed to be a proceeding under this regulation and shall be continued and concluded by the authority by which it was commenced in the same manner as if the employee had continued in service;
- (b) such departmental proceeding, if not instituted while the employee was in service whether before his retirement or during his re-employment:—
 - (i) shall not be instituted save with the sanction of the Board;
 - (ii) shall not be in respect of any event which took place more than 4 years before such institution; and
 - (iii) shall be conducted by such authority and in such place as the Board may direct and in accordance with the procedure applicable to departmental proceedings in which an order of dismissal from service could be made in relation to the employee during his service;
- (c) no such judicial proceeding, if not instituted while the employee was in service, whether before his retirement or during his re-employment, shall be instituted in respect of a cause of action which arose or an event which took place more than 4 years before such institution; and
- (d) the Central Government shall be consulted before final orders are passed.

Explanation.—For the purpose of this regulation:

- (a) a departmental proceeding shall be deemed to be instituted on the date on which the statement of charges is issued to the employee or pensioner, or if the employee has been placed under suspension from an earlier date, on such date; and

(b) a judicial proceeding shall be deemed to be instituted:—

- (i) in the case of a criminal proceeding, on the date on which the complaint or report of police officer, on which the Magistrate takes cognizance, is made, and
- (ii) in the case of a civil proceeding, on the date of presentation of the plaint in the Court.

8. Where any departmental or judicial proceeding is instituted under Regulation 7 above or where a departmental proceeding is continued under clause (a) of the proviso thereto against an employee who has retired on attaining the age of compulsory retirement or otherwise, he shall be paid during the period commencing from the date of his retirement to the date on which, upon conclusion of such proceeding, final orders are passed, a provisional pension not exceeding the maximum pension which would have been admissible on the basis of his qualifying service upto the date of retirement, or if he was under suspension on the date of retirement, upto the date immediately preceding the date on which he was placed under suspension; but no gratuity or death-cum-retirement gratuity shall be paid to him until the conclusion of such proceeding and the issue of final orders thereon.

2. Payment of provisional pension made under clause (1) shall be adjusted against the final retirement benefits sanctioned to such employees upon conclusion of the aforesaid proceeding but no recovery shall be made where the pension finally sanctioned is less than the provisional pension or the pension is reduced or withheld either permanently or for a specified period.

Note: The grant of pension under this regulation shall not prejudice the operation of regulation 45 when final pension is sanctioned upon conclusion of the proceeding.

Cases in which claims are inadmissible.

9. In the following cases no claim to pension shall be admissible:—

- (a) when a person is appointed for a limited time only, or for a specified duty, on the completion of which he is to be discharged.
- (b) When a person is employed temporarily on monthly wages without specified limit of time or duty; provided, however, in such cases, a month's notice of discharge shall be given to such a person and his wages shall be paid for any period by which such notice falls short of a month.
- (c) When a person's whole time is not retained for the Board's service, but he is merely paid for work done for the Board.
- (d) When a person holds some other pensionable office, he earns no pension in respect of an office of the kind mentioned in clause (c) above or in respect of duties paid for by a local allowance.
- (e) When a person serves under a covenant which contains no stipulation regarding pension unless the Board specially authorises an employee to count such service towards pension.

Misconduct or Inefficiency.

10. No pension may be granted to any employee dismissed or removed for misconduct, insolvency or

inefficiency; but to employees so dismissed or removed compassionate allowances may be granted when they are deserving of special consideration.

Provided that the allowance granted to any employee shall not exceed two-thirds of the pension which would have been admissible to him if he had retired on medical certificate.

Limitations.

11. (a) An employee cannot earn two pensions in the same office at the same time or by the same continuous service.

(b) Two persons may not simultaneously count service for pension in respect of the same office.

SECTION III

Conditions of Qualifying Service

Beginning of service.

12. (a) An employee's service does not qualify for pension till he has completed eighteen years of age.

(b) In other cases, unless it be otherwise provided by special rule or contract, the service of every employee begins when he takes charge of the office to which he is first appointed.

Conditions of qualification.

13. (i) The service of an employee shall not qualify for pension unless it conforms to the following three conditions:—

First — The service must be under the Board.

Second — The employment must be substantive and permanent.

Third — The service must be paid by the Board.

Explanation:—For the purpose of the Second condition referred to above, temporary or officiating service under the Board, followed without interruption by confirmation in the same or another post, shall count in full as qualifying service except in respect of—

- (i) periods of temporary or officiating service in non-pensionable establishment;
- (ii) periods of casual or daily-rated service; and
- (iii) periods of service paid from contingencies.

Apprentices and Probationers.

14. Service as an apprentice shall not count as qualifying service for pension.

15. The service of a probationer who holds a substantive appointment and draws substantive pay shall count as qualifying service for pension.

16. The service of an employee who is on probation for a substantive appointment, if he is employed in a vacancy reserved for him pending probation and in which no other employee simultaneously counts service for pension, shall count as qualifying service for pension.

Detached Service.

17. An employee on a permanent establishment deputed on temporary duty on the understanding that when the temporary duty ceases he will return

to the permanent establishment shall count his service on deputation as qualifying service.

Piece Work.

18. An employee who is paid for piece-work shall be treated as having held a substantive post, if—

- (i) he is employed not casually, but as a member of a fixed establishment; and
- (ii) during the last 72 months of his actual employment he has been attached to one post uninterruptedly for 24 months, or it has not been through his own choice or misconduct that he has not been so attached.

Leave.

19. All periods of leave with allowances shall count as service.

Note:—1. Nothing contained in this regulation shall affect other provisions for the time being in force relating to the counting of special kinds of leave or absence for pension.

2. Study leave counts as service for pension.

3. Refused leave granted under the provisions of the M. P. E. (Leave) Regulations, 1964 shall not count for pension.

Deputation.

20. When an employee is deputed out of India on duty the whole period of his absence from India shall count as qualifying service. When an employee on leave out of India is employed or is detained after the termination of his leave, on duty, the period of such employment or detention shall also count as qualifying service.

21. Time spent on the voyage to India by an employee who is recalled to duty before the expiry of any recognised leave out of India shall count as qualifying service provided his return to duty is compulsory.

Foreign Service.

22. Foreign service shall count as qualifying service provided pension contribution has been paid by the foreign employer or the employee himself to the Board in accordance with the terms and conditions of such foreign service.

Suspension.

23. Time passed under suspension pending enquiry into conduct shall count in full where, on conclusion of the enquiry, the employee has been fully exonerated or the suspension is held to have been wholly unjustified; in other cases, the period of suspension shall not count unless the authority who reinstated the employee expressly declare *at the time* that it shall count, and then it shall count only to such extent as the said authority may declare.

Resignation and Dismissals.

24. Resignation of the Post service or dismissal or removal from it for misconduct, insolvency, inefficiency not due to age, or failure to pass a prescribed examination entails forfeiture of past service.

Reinstatement.

25. An employee who is dismissed, removed or compulsory retired from service, but is reinstated

on appeal or revision shall count his past service as qualifying service, however, the period of break in service between the date of dismissal, removal or compulsory retirement, as the case may be, and the date of reinstatement, and the period of suspension, if any, shall not count unless regularised as duty or leave by a specific order of the authority which passed the order of a reinstatement.

Interruptions.

26. An interruption in the service of an employee shall entail forfeiture of his past service, except in the following cases:—

- (a) Authorised leave of absence;
- (b) Unauthorised absence in continuation of authorised leave of absence so long as the post of the absentee is not substantively filled if the post is substantively filled the past service of the absentee shall be forfeited;
- (c) Suspension where it is immediately followed by reinstatement, whether to the same or a different post, or where the employee dies or is permitted to retire or is retired while under suspension;
- (d) Abolition of post or loss of appointment owing to reduction of establishment;
- (e) Transfer to non-qualifying service provided the transfer is made by a competent authority.

Note:—An employee who voluntarily resigns qualifying service cannot claim the benefit of this exception.

27. The authority which sanctions the pension may commute retrospectively the periods of absence without leave into leave without allowances.

Condonation of Interruptions.

28. Interruptions in service (either between two spells of permanent or temporary service or between a spell of temporary service and permanent service or vice versa) may be condoned by the Board subject to the following conditions:—

- (a) the interruptions should have been caused by reasons beyond the control of the employee concerned;
- (b) service preceding the interruption should not be less than five years' duration and in cases when there are two or more interruptions, the total service, pensionary benefits in respect of which will be lost if the interruptions are not condoned should not be less than five years; and
- (c) the interruption should not be more than of one year's duration. In cases where there are two or more interruptions, the total of the periods of all interruptions that are condoned should not exceed one year.

SECTION IV

Classification of Pensions

29. Pensions are divided into the following four classes:—

- (a) Compensation pensions.
- (b) Invalid pensions.
- (c) Superannuation pensions.
- (d) Retiring pensions.

A — Compensation Pension.

30. If a pensionable employee is selected for discharge owing to the abolition of a permanent post, he shall, unless he is appointed to another post the conditions of which are deemed by the authority competent to discharge him to be at least equal to those of his own, have the option:

- (a) of taking any compensation pension or gratuity to which he may be entitled for the service he has already rendered, or
- (b) of accepting, another appointment or transfer to another establishment even on a lower pay, if offered, and continuing to count his previous service for pension

Restrictions.

31. No pension shall be admissible to an employee for the loss of appointment on discharge after the completion of a specified term of service.

32. No pension shall be awarded for the loss of a duty or local allowance.

Acceptance of new Appointment.

33. If an employee who is entitled to Compensation pension accepts instead another appointment in the Board's service, and subsequently becomes again entitled to receive a pension of any class, the amount of such pension shall not be less than he could have claimed if he had not accepted the appointment.

B — Invalid Pension.

34. An Invalid pension may be awarded on retirement from the Board's service to a person who by bodily or mental infirmity is permanently incapacitated for the Board's service.

Medical Certificate.

35. If an applicant for an invalid pension is 55 years old or upwards, no certificate by a Medical Officer shall be necessary; it shall be sufficient for the head of the department to certify to the incapacity of the applicant. Otherwise the incapacity for service shall be established by a medical certificate issued by the Board's Medical Officer.

36. The Form of Medical Certificate shall be as specified in Form «F» appended to these regulations.

37. An employee discharged on other grounds shall have no claim for an invalid pension even though he may produce medical evidence of incapacity for service.

38. If the incapacity is directly due to irregular or intemperate habits, no pension shall be granted. If it has not been directly caused by such habits, but has been accelerated or aggravated by them, the Board may take such reduction as it may deem fit in the pension payable.

39. An employee who has submitted a medical certificate of incapacity for further service in accordance with these regulations shall not except for special reasons, be retained in active service pending a decision on his application for pension, nor shall he be granted leave of absence.

Without the special orders of the Board or the Chairman as the case may be, service after the date of such medical certificate shall not count for pension.

C — Superannuation Pension.

40. A Superannuation pension may be granted to an employee entitled or compelled, by rule, to retire at a particular age.

D — Retiring Pension.

41. A retiring pension may be granted to an employee who is permitted to retire after completing 30 years qualifying service provided that he shall give in this behalf, a notice in writing to the Board, at least three months before the date on which he wishes to retire. The Board may also require an employee to retire any time after he has completed 30 years' qualifying service, provided that the Board shall give, in this behalf, a notice in writing to the employee at least three months before the date on which he is required to retire.

SECTION V

Amount of Pensions General

42. The amount of pension that may be granted shall be determined by the length of service as set forth in these regulations. Fractions of a year equal to six months and above shall be treated as a complete six months period for the purposes of calculation of any pension admissible to such an employee.

43. Pensions fixed in rupees shall be calculated to the nearest multiple of five Paise.

44. A pension shall be fixed in rupees and not in any other currency even though it may be paid outside India.

45. (a) The full pension admissible under the regulations shall not be given as a matter of course, or unless the service rendered has been really approved.

(b) If the service has not been thoroughly satisfactory the authority sanctioning the pension may take such reduction in amount as it may deem fit.

46. (1) The amount of superannuation, invalid and compensation gratuity, and the pension shall be the appropriate amount set out in Table I appended to these regulations.

46. (2) The amount of retiring pension shall not exceed 30/80ths of average emoluments subject to a maximum of Rs. 8,100/- per annum.

Provided that in no case shall the pension be less than Rs. 25/- p. m.

SECTION VI

Death-cum-Retirement Gratuity

47. (1) An employee who has completed five years' qualifying service may be granted an additional gratuity not exceeding the amount specified in sub-regulation (3) when he retires from service provided he is eligible for gratuity or pension under these regulations.

(2) If an employee who has completed five years' qualifying service dies while in service, a gratuity not exceeding the amount specified in sub-regulation (3) may be paid to the person or persons on whom the right to receive the gratuity is conferred under regulation 48 or if there is no such person, it may be paid in the manner indicated below:—

(i) If there are one or more surviving members of the family as in items (a), (b), (c) and

(d) of sub-regulation (h) of regulation 48 it may be paid to all such members except to a widowed daughter, in equal shares.

(ii) If there are no such surviving members of the family as at (i) above, but there are one or more surviving widowed daughters and/or one or more surviving members of the family as, in items (e), (f), (g), (h) and (i) of sub-regulation (l) of regulation 48, the gratuity may be paid to all such members, in equal shares.

(3) The amount of gratuity shall be one-fourth of the «Emoluments» of the officer for each completed six-monthly period of qualifying service subject to a maximum of 15 times the «emoluments». In the event of death of an employee while in service, the gratuity shall be subject to a minimum of 18 times the emoluments of the employee at the time of his death, provided that in no case it shall exceed Rs. 24,000/-.

Provided further that, except in the case of a bachelor who has not adopted any child, the amount of gratuity admissible as above shall be reduced by two months' «emoluments» or «pay» as the case may be subject to a maximum of Rs. 3,600/-. In cases where the gratuity admissible is less than two months' «emoluments» or «pay» as the case may be the same shall be resumed by the Board against the family pension benefits admissible under these regulations.

(4) If an employee who has become eligible for a pension or gratuity under these regulations dies within five years from the date of his retirement and the sums actually received by him at the time of death on account of such gratuity or pension together with the gratuity granted under sub-regulation (1) and the commuted value of any portion of pension commuted by him are less than amount equal to twelve times his «emoluments» gratuity equal to the deficiency shall be granted to the person or persons specified in sub-regulation above.

(5) «Emoluments» for the purpose of this section shall be subject to a maximum of Rs. 1,800 per mensem and shall be reckoned in accordance with regulation 49, provided that if the emoluments of an employee have been reduced during the three years of his service, otherwise than as a penalty, «average emoluments» as defined in regulation 50 may, at the discretion of the authority which has power to sanction the gratuity under this section, be treated as the «emoluments».

Nominations.

48. (1) For the purpose of this regulation:

(a) «Family» shall include the following relatives of the employee:

- (i) Wife, in the case of a male employee
- (ii) Husband, in the case of a female employee;
- (iii) Sons;
- (iv) Unmarried and widowed daughters including, stepchildren and adopted children;
- (v) Brothers below the age of 18 years unmarried and widowed sisters;

- (vi) Father { including adoptive parents in case of individuals whose personal law permits adoption.
- (vii) Mother }
- (viii) Married daughters, and.
- (ix) Children of a pre-deceased son.

(b) «Persons» for the purpose of this regulation shall include any company or association or body of individuals, whether incorporated or not.

(2) An employee shall, as soon as he completes five years' qualifying service make a nomination conferring on one or more persons the right to receive any gratuity that may be sanctioned under sub-regulations (2) and (4) of regulation 47 and any gratuity which having become admissible to him under sub-regulation (1) of the said regulation and sub-regulation (1) of regulation 46 has not been paid to him before death.

Provided that if, at the time of making the nomination, the employee has a family, the nomination shall not be in favour of any person or persons other than the members of his family.

(3) If an employee nominates more than one person, under sub-regulation (2), he shall specify in the nomination the amount or share payable to each of the nominees in such manner as to cover the whole amount of the gratuity.

(4) An employee may provide in a nomination:—

(a) In respect of any specified nominee, that in the event of his predeceasing the employee the right conferred upon that nominee shall pass to such other person as may be specified in the nomination; provided that if at the time of making the nomination the employee has a family consisting of more than one member, the person so specified shall not be a person other than a member of his family;

(b) That the nomination shall become invalid in the event of the happening of a contingency specified therein.

(5) The nomination made by an employee who has no family at the time of making it, or a provision made in a nomination under clause (a) of sub-regulation (4) by an employee whose family consists, at the date of making the nomination of only one member, shall become invalid in the event of the employee subsequently acquiring a family, or an additional member in the family as the case may be.

(6) (a) Every nomination shall be made in such one of the forms A to D as may be appropriate in the circumstances of the case.

(b) An employee may at any time cancel a nomination by sending a notice in writing to the appropriate authority, provided that the employee shall, along with such notice, send a fresh nomination made in accordance with this regulation.

(7) Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under clause (a) of sub-regulation (4) or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of clause (b) of that sub-regulation or sub-regulation (5), the employee shall send to the Accounts Officer a notice in writing formally cancelling the nomination, together with a fresh nomination made in accordance with this regulation.

(8) Every nomination made, and every notice of cancellation given by an employee under this regulation, shall be sent by the employee to the Accounts Officer through the Head of his Department and the Accounts Officer, shall, if it is in order, accept it under his signature and date it and keep it under his custody.

(9) Every nomination made, and every notice of cancellation given, by an employee shall, to the extent it is valid, take effect on the date on which it is received by the Accounts Officer.

(10) In the case of an employee in quasi-permanent service, who dies before confirmation and who is entitled to gratuity under the M. P. E. (Temporary Service) Regulations, 1964, no nomination is required. The gratuity admissible to him shall, on his death, be payable to his family in the order of preference mentioned below:—

- (i) Eldest surviving widow in the case of a male employee;
- (ii) Husband in the case of a female employee;
- (iii) Eldest surviving son;
- (iv) Eldest surviving unmarried daughter;
- (v) Eldest widowed daughter;
- (vi) Father;
- (vii) Mother;
- (viii) Eldest surviving brother below the age of 18 years;
- (ix) Eldest surviving unmarried sister;
- (x) Eldest surviving widowed sister;
- (xi) Eldest surviving married daughter;

SECTION VII

Emoluments and Average Emoluments

49. The term "Emoluments" for the purposes of Sections V and VI means the emoluments which the employee was receiving immediately before his retirement and includes:

- (a) substantive pay in respect of a permanent post other than a tenure post held in a substantive capacity;
- (b) personal pay which is granted in lieu of loss of substantive pay in respect of a permanent post other than a tenure post;
- (c) special pay attached to a permanent post, other than a tenure post, when the special pay has been sanctioned permanently and the post is held in a substantive capacity;
- (d) save as otherwise provided in clause (e) below one half of the difference between the total of the emoluments referred to in clause (a), (b) and (c) above and the pay actually drawn in higher officiating or temporary appointments; or one half of the pay drawn in temporary or officiating appointments;
- (e) If an employee holding a permanent post in a substantive capacity:—
 - (i) officiates in a higher permanent post (other than a tenure post) or holds a higher temporary post (other than a tenure post) borne on a cadre which includes permanent posts on the same time scale as the temporary post, continuously for not less than three years, and retires or dies while so officiating or holding the higher post; or

- (ii) is confirmed in such higher permanent post at any time during the last three years of his service after having officiated in that post continuously for three years or more, his emoluments for pension in respect of the higher post for any period beyond three years' continuous service in that post shall be determined under clause (a) to (d) above as if he held, in a substantive capacity, a permanent post on a time scale identical with that of the higher post.

Explanations:—

1. For computing the length of continuous service in respect of the higher post referred to above, all kinds of leave, all periods during which an employee officiated in a permanent post or held a temporary post on identical or higher time scale, and the time spent on deputation or foreign service shall be included; provided that it is certified that but for his proceeding on leave or serving in other post(s) or going on deputation or foreign service, as the case may be, the employee concerned would have officiated in or held the higher post.

2. If immediately before his retirement or death, an employee has been absent from duty on leave with allowances, his emoluments for the purposes of calculating service gratuity and/or death-cum-retirement gratuity shall be taken at what they would have been had he not been absent from duty.

Provided that the amount of gratuity is not increased on account of increase in pay not actually drawn and that the benefit of higher officiating or temporary pay is given only if it is certified that he would have continued to hold the higher officiating or temporary appointment but for his proceeding on leave.

3. In cases where an employee in quasi-permanent service is appointed substantively to a permanent post any time during the last three years of his service, the emoluments drawn by him in quasi-permanent capacity during the period he was not holding a permanent post shall be treated as if drawn in a permanent post held in substantive capacity.

50. The term «average emoluments» means the average calculated upon the last three years of service.

Explanation.

1. If during the last three years of his service an employee has been absent from duty on leave with allowances, or having been suspended has been reinstated without forfeiture of service, his emoluments, for the purpose of ascertaining the average, should be taken at what they would have been had he not been absent from duty or suspended. Provided always that except as provided in explanation 2 below, his pension shall not be increased on account of increase in pay not actually drawn.

2. In the case of an employee who, while on leave preparatory to retirement, is confirmed in the higher post which he held in an officiating or temporary capacity before proceeding on such leave, his substantive emoluments in the higher post, which he would have drawn had he been on duty, shall be taken into account for the purpose of calculation of average emoluments.

3. If during the last three years of his service, an employee has been absent from duty on leave without allowances (not counting for pension) or suspended under such circumstances that the period of suspension does not count as service, the periods so passed shall be disregarded in the calculation of the average, an equal period before the three years being included.

4. For the purpose of calculation of «average emoluments», an increase of pay which took effect during the currency of earned leave not exceeding 120 days in any one spell during the last three years of service shall be included for the purpose of this regulation even though the increase in pay due to promotion or increment is not actually drawn during the earned leave.

5. Excepting as provided in explanations 1, 3 and 4 above only emoluments actually received shall be included in the calculation. For example, when an employee is allowed to count time retrospectively towards increase of pay, but does not receive retrospectively the intermediate periodic increments these intermediate increments shall not be reckoned in the calculations.

51. Allowances which do not count as part of an employee's pay, but which are specially intended to provide for expenses incidental to his duty, shall be excluded.

SECTION VIII

Family Pension

52. A Family Pension, not exceeding the amount specified in regulation 53 below may be granted to the family of an employee who dies, whether while in service or after retirement, if at the time of death, the retired employee was in receipt of a compensation invalid, retiring or superannuation pension. In the case of death while in service, the employee should have completed a minimum period of one year of service. Provided that the employee was on a pensionable establishment whether temporary or permanent.

53. (1) The amount of family pension shall be as follows:—

Pay of the employee	Monthly pension of widow/ /widower/children
(a) Rs. 800 and above	12% of pay subject to a maximum of Rs. 150/-
(b) Rs. 200 and above but below Rs. 800/-	15% of pay subject to a maximum of Rs. 96/- and minimum of Rs. 60/-
(c) Below Rs. 200/-	30% of pay subject to a minimum of Rs. 25/-

(2) «Pay» for the purpose of this regulation means the pay which the employee was drawing on the date of the death while in service or immediately before his retirement and includes:—

- (a) Pay, and
- (b) special pay and personal pay, and
- (c) any other emoluments which may be specially classed as pay by the Board.

Explanation:— If on the date of his death while in service or immediately before his retirement an employee has been absent from duty on leave (including extraordinary leave) or suspension «Pay»

means the pay which he drew immediately before proceeding on such leave or suspension.

«Provided that:—

- (i) For a period of seven years from the date of death or till the date on which the employee would have reached the normal age of superannuation, had he remained alive, whichever period is shorter, the pension payable under this Regulation will be at 50% of the basic pay last drawn, subject to a maximum of twice the pension admissible above.
- (ii) The pension payable thereafter will be at the rates laid down in Regulation 53(1).
- (iii) This concession will not be applicable if the employee had put in less than seven years' continuous service prior to his death.

Note: In the case of a person who dies while on extension of service, the date upto which the extension of service had been sanctioned to him before his death will be deemed to be the normal date of superannuation».

54. «Family» for the purposes of this Section will include the following relatives of the employee:—

- (a) Wife, in the case of a male employee;
- (b) Husband, in the case of a female employee;
- (c) Minor sons; and
- (d) Unmarried minor daughters.

Note 1. (c) and (d) shall include children adopted legally before retirement.

Note 2. Marriage after retirement shall not be recognised for the purpose of this Section.

55. The pension shall be admissible:

- (a) In the case of widow/widower upto the date of death or re-marriage, whichever is earlier.
- (b) In the case of minor son until he attains the age of 18 years.
- (c) In the case of unmarried daughter until she attains the age of 21 years of marriage, whichever is earlier.

Note: In the case where there are two or more widows, pension shall be payable to the eldest surviving widow. On her death or re-marriage, as the case may be it shall be payable to the next surviving widow, if any. The term 'eldest' would mean seniority with reference to the date of marriage.

56. Pension awarded under this Section shall not be payable to more than one member of an employee's family at the same time. It shall first be admissible to the widow/widower and thereafter to the minor children.

57. In the event of re-marriage or death of the widow-widower the pension shall be granted to the minor children through their natural guardian. In dispute cases, however, payments shall be made through a legal guardian.

58. As in the case of the grant of an ordinary pension, future good conduct of the recipient is an

implied condition of every grant of a pension under this Section. The Board reserves to itself the right of withholding or withdrawing such a pension or any part of it if the recipient be convicted of serious crime or be guilty of grave misconduct, and the decision of the Board in all such matters shall be final.

59. All employees governed by these regulations shall furnish details of their 'family' as defined in regulation 54 in Form 'E' appended to these regulations in duplicate to the Head of Department who shall countersign the same and forward one copy to the Accounts Officer, who shall acknowledge receipt of these communications. The duplicate copy shall be pasted in the Service Book of the employee. It shall be the responsibility of the employee to keep these particulars upto date. Additions and alterations in this statement shall be made by the Head of the Department/Accounts Officer from time to time on receipt of information from the employee.

SECTION IX

Application for Pensions

Applications

60. Every employee shall submit a formal application for pension in form 'G' appended to these regulations accompanied with three copies of his joint photograph with his wife to the Head of his Department. Wherever possible it shall be submitted one year in advance of the date of his actual or anticipated retirement.

- (i) Where the date of retirement cannot be foreseen one year in advance, the application shall be submitted immediately after the date of retirement is settled, and
- (ii) Where an employee proceeds on leave preparatory to retirement in excess of six months he shall submit the application at the time of proceeding on such leave.

Note:— Where the employee is himself the Head of the Department, he shall submit the application direct to the Accounts Officer.

61. (i) The Head of the Department shall find in the particulars required by the first two pages of Form 'H' appended to these regulations. He shall record whether the character, conduct and past service of the applicant are such as to entitle him to the grant of pension. He shall also record thereon his own opinion whether the service claimed has been established and should be omitted or not.

(ii) All periods of leave, suspension, etc. which are not reckoned as service shall be carefully recorded on the form.

(iii) If the application is for an invalid pension, the requisite medical certificate shall be attached to the application.

62. After completion the application in the manner prescribed, it shall be forwarded to the Accounts Officer with the necessary documents and the service register.

63. The Accounts Officer shall complete page 3 of the form of application for pension and after verification shall submit it to the Chairman for sanction by the competent authority.

Sanctioning authority.

64. The authority competent to sanction pension/gratuity in the case of employees whose maximum monthly salary exclusive of allowances is less than Rs. 1,000/- shall be the Chairman and in every other case the Board.

SECTION X

Payment of Pensions

Pension Payment Order

65. Each pension sanctioned shall be incorporated in a pension payment order form as in Form 'I' appended to these regulations. This form is in two parts; one part is to be retained carefully in the custody of the Accounts Department and the other part shall be delivered to the pensioner. Each payment made shall be entered on the reverse both of the pensioner's part and of the Accounts Department's part of the pension payment order, both entries being attested at the time of payment by the signature of the disbursing officer.

Payment of pension.

66. A pension other than a wound or extraordinary pension shall be payable from the date on which the pensioner ceases to be borne on the establishment.

67. Pension shall be payable for the day of death also.

Place of payment.

68. A pension shall be ordinarily payable at the office of the Accounts Officer. As a rule, a pensioner shall take payment in person, after identification by comparison with the Pension Payment Order.

69. Where a pensioner desires to draw his pension at a place other than the office of the Accounts Officer, he shall make a request in writing to that effect to the Accounts Officer and the pension shall be remitted to him by money order or a demand draft at his cost, if so desired by him. In such cases, a life certificate issued by a Magistrate or a Gazetted Officer shall be sent to the Accounts Officer with every claim for pension.

70. Notwithstanding anything contained in regulation 68 above, the Accounts Office shall, at least once a year, require proof independent of that furnished by the life certificate of the continued existence of the pensioner. For this purpose he should require the personal attendance and due identification of all pensioners who are not incapacitated by bodily illness or infirmity from so attending, and in all cases where such inability may be alleged, he should require proof thereof in addition to the proof submitted of the pensioner's existence.

Payment to Agents.

71. A pensioner may be permitted at the discretion of the Chairman to draw his pension through a duly authorised agent approved by the Chairman provided the agent execute a bond to refund overpayments and produces a life certificate at least once a year duly signed by a Magistrate or a Gazetted Officer. In all such cases a pensioner shall be exempted from personal appearance.

Lapses and Forfeitures.

72. If a pension remains undrawn for more than one year, it shall cease to be payable. If the pensioner afterwards appears, the Accounts Officer may renew his payments.

Payment of arrears.

73. On the death of a pensioner, payment of arrears actually due may be made to his heirs, provided that they apply within one year of his death. Payment may not be made thereafter without the sanction of the Chairman.

74. Subject to the provisions of the preceding regulation, the arrears of pension for the deceased pensioner may be paid to the heirs of the deceased without production of a legal authority to the extent of Rs. 500/- under the orders of the Chairman, after such enquiry into the right and title of the claimants as may be deemed sufficient. Any excess above Rs. 500/- may similarly be paid under the orders of the Chairman on execution of an indemnity bond with such sureties as may be stipulated if the Chairman is satisfied of the right and title of the claimants and considers that undue delay and hardship would be caused by insisting on the production of letters of administration. In any case of doubt payment shall be made only to the person producing Legal Authority.

Family Pension.

75. (i) On receiving information of death of an employee while in service, the Head of the Department shall send a letter as prescribed in Form 'J' appended to these regulations to the family of the deceased and ask for the necessary documents mentioned therein.

(ii) On receiving the documents referred to in clause (i) above the pension sanctioning authority shall sanction the family pension as in Form 'K' appended to these regulations and send all these documents along with the Service Book of the employee to the Accounts Officer who will then issue the Pension Payments Order to the beneficiary.

76. Where death occurs after retirement, the widow/widower shall be required to send an application for the grant of family pension as in form 'L' appended to these regulations together with the death certificate of the pensioner and the pensioner's part of the Pension Payment Order to the Accounts Officer. If the widow/widower is also not there and the family pension is payable to the minor children through their natural guardian, the guardian shall apply on behalf of the children with two copies of his photograph and the other necessary documents. The Accounts Officer shall thereafter issue a fresh Pension Payment Order and shall make the necessary payment.

No fresh sanction for the payment of the family pension shall be necessary.

SECTION XI

Commutation of Pensions

77. An employee of the Board shall be entitled, subject to the conditions hereinafter specified, to commute for a lumpsum payment any portion not exceeding one-third of any pension which has been or may be granted to him under these regulations

Provided that an employee against whom judicial or a departmental proceeding has been instituted or a pensioner against whom any such proceeding has been instituted or continued under regulation 7 shall not be permitted to commute any part of his pension during the pendency of such proceedings.

78. (1) On receipt of an application for commutation, the sanctioning authority shall transmit to the applicant a copy of the Accounts Officer's certificate of the lumpsum payable on commutation in the event of his being reported by such medical authority as the sanctioning authority may prescribe to be a fit subject for commutation and shall at the same time instruct him to appear for examination before the said authority within three months from the date of its order, or if he has applied for commutation in advance of the date of his retirement, within three months of that date, but in no case earlier than the actual date of retirement. This intimation shall constitute administrative sanction to commutation, but shall lapse if the medical examination does not take place within the period prescribed in the sanctioning order. If the applicant does not appear for examination before the said medical authority, within the prescribed period, the sanctioning authority may, at his discretion, renew administrative sanction for a further period of three months without obtaining a fresh application for the commutation of pension. The applicant may withdraw his application by a written notice despatched at any time before the medical examination is due to take place, but this option shall expire on his appearance before a medical authority.

Provided that if the medical authority directs that his age for the purpose of commutation shall be assumed to be greater than his actual age, the applicant may withdraw his application by written notice despatched within two weeks from the date on which he receives intimation of the revised sum payable on commutation, or, if this sum is already stated in the sanctioning order, within two weeks from the date on which he receives intimation of the finding of the medical authority.

Notes:— If the applicant does not withdraw in writing his application within the period of two weeks prescribed above, he shall be deemed to have accepted the sum offered.

(2) Subject to the provisions contained in sub-regulation (1) and (3), the commutation shall become absolute and the title to receive the commuted portion of the pension shall cease and the title to receive the commuted value shall accrue, on the date on which the medical authority signs the medical certificate. Payment of the commuted value shall be made as expeditiously as possible, but in the case of an impaired life no payment shall be made until either a written acceptance of the commutation has been received or the period within which the application for the commutation may be withdrawn has expired. Whatever the date of actual payment, the amount paid and the effect upon the pension shall be the same as if the commuted value were paid on the date on which commutation became absolute. If the commuted portion of the pension has been drawn after the date on which the commutation became absolute, the amount drawn shall be deducted from the amount payable in commutation.

(3) If the applicant makes any statement found to be false within the his knowledge or wilfully sup-

presses any material fact in answer to any question, written or oral, put to him in connection with his medical examination, the sanctioning authority may cancel the sanction at any time before payment is actually made; and such a statement or suppression may be treated as grave misconduct.

79. The lumpsum payable on commutation shall be calculated in accordance with a table or tables of present values which shall be prescribed by the Central Government from time to time. The table of present values is given at Table II in the Appendix. In the event of the table of present values applicable to an applicant having been modified between the date of administrative sanction to commutation and the date on which commutation is due to become absolute, payment shall be made in accordance with the modified table, but it shall be open to the applicant if the modified table is less favourable to him than that previously in force to withdraw his application by notice in writing despatched within 14 days of the date on which he receives notice of the modification.

80. If the pensioner dies on or after the day on which commutation became absolute but before receiving the commutation value, this value shall be paid to his heirs.

81. The authority competent to sanction commutation of pension in the case of employees whose maximum monthly salary exclusive of allowances is less than Rs. 1,000/- shall be the Chairman, and in every other case the Board.

82. An application for commutation of pension shall be made in Part I of Form 'M' appended to these regulations and addressed, if the applicant is still in service or has retired but his pension has not yet been sanctioned to the Chairman through the Head of the Department in which he is or was employed.

83. The Head of the Department shall transit the application to the Accounts Officer to report on the title to pension.

84. The Accounts Officer shall complete Part II of Form 'M' and transmit it together with copies of medical reports if the applicant has been granted an invalid pension or has previously commuted any portion of his pension or declined to accept commutation on the basis of an addition of years to his actual age or has been refused commutation on medical grounds and copies of the previous medical reports or statements of his case, if they are on record to the Chairman to obtain administrative sanction by the competent authority for the commutation of pension.

85. The authority competent to sanction commutation shall thereupon accord his administrative sanction in Part III of Form 'M'.

86. The Accounts Officer shall then —

- (i) transmit to the applicant a certified copy of the Accounts Officer's certificate contained in Part II of Form 'M' and one copy of Form 'N' Part I of which is to be filled by the applicant before his medical examination and handed to the Medical Officer, and
- (ii) transmit to the Medical Officer in original the completed Form 'M' together with a copy of Form 'N' and an extra-copy of Part

III of Form 'M' together with previous medical reports if any.

87. The Medical Officer shall arrange for the medical examination of the applicant by the medical authority prescribed in regulation 87 as early as possible within the period prescribed and inform the applicant direct.

88. (1) Before any commutation administratively sanctioned becomes absolute, the applicant shall be examined by the proper medical authority hereinafter prescribed;

(2) The Medical authority shall be —

(i) in the case of officers the maximum of whose grade of pay is not less than Rs. 1,000/- per mensem, the Trust's Medical Board, and

(ii) in other cases, the Medical Officer.

89. The Accounts Officer, on receipt of the completed Forms 'M' and 'N' shall arrange for the payment of the appropriate commuted value and for the corresponding reduction of pension. Form 'N' containing the signature and thumb and finger impression taken in the presence of the medical authority shall be verified with those received with the pension payment order, before disbursing to the employee the commuted value.

Note: — If the medical certificate prescribes that more than five years shall be added to the applicant's actual age, the Accounts Officer shall inform the applicant of the revised sum payable on commutation.

SECTION XII

Miscellaneous

90. In applying the foregoing regulations and in respect of matters not dealt with in these regulations, the Central Government Civil Service Regulations and the orders of the Central Government issued thereunder from time to time, shall be followed in so far as they are not inconsistent with the provisions of these regulations, subject to such exceptions and modifications as the Board may from time to time determine.

91. If any question arises relating to the interpretation of these regulations, the decision of the Board thereon shall be final and conclusive.

By Order.

Mormugao, 6th June, 1966. — *Shivakumar Dhindaw*, Secretary.

APPENDIX

FORM 'A'

Form of nominations

Nominations for Death-cum-Retirement Gratuity
(vide sub-regulation 6 of regulation 48)

When the employee has a family and wishes to nominate one member thereof.

I hereby nominate the person mentioned below, who is a member of my family, and confer on him the right to receive any gratuity that may be sanctioned by the Mormugao Port Trust in the event of my death.

Name and address of nominee.	Relationship with employee.	Age.	Contingencies on the happening of which the nomination shall become invalid.	Name and address and relationship of the person, if any, to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the employee or the nominee dying after the death of the employee but before receiving payment of the gratuity.	Amount or share of gratuity payable to each*
(1)	(2)	(3)	(4)	(5)	(6)

Dated this ... day of ... 19 ...
at ...

Witnesses to signature:

1. ...
2. ...

Signature of employee

Name in Block letters ...

Designation ...

Staff No. ...

Department ...

Signature of Financial Adviser
& Chief Accounts Officer
Mormugao Port Trust

Dated ...

* *Note:* This column should be filled in as to cover the whole amount of gratuity.

FORM 'B'

Nomination for Death-cum-Retirement Gratuity

When the employee has a family and wishes to nominate more than one member thereof.

I hereby nominate the persons mentioned below, who are members of my family, and confer on them the right to receive, to the extent specified below any gratuity that may be sanctioned by Mormugao Port Trust in the event of my death while in service and the right to receive on my death to the extent specified below, any gratuity which having become admissible to me on my retirement may remain unpaid at my death.

Name and address of nominee.	Relationship with employee.	Age.	Amount or share of gratuity payable to each.	Contingencies on the happening of which the nomination shall become invalid.	Name, address and relationship of the person, if any, to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the employee or the nominee dying after the death of the employee but before receiving payment of the gratuity.	Amount or share of gratuity payable to each*
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Dated this ... day of ... 19 ...
Witnesses to signature:

1. ...
2. ...

Signature of employee

Name in Block letters ...

Designation ...

Staff No. ...

Department ...

Signature of employee
Signature of Financial Adviser
& Chief Accounts Officer
Mormugao Port Trust

Dated ...

* *Note:* 1. This column should be filled in so as to cover whole amount of gratuity.
2. The amount/share of gratuity shown in this column should cover the whole amount/share payable to original nominee.

FORM 'C'

Nomination for Death-cum-Retirement Gratuity

When the employee has no family and wishes to nominate one person.

I, having no family, hereby nominate the person mentioned below and confer on him the right to receive any gratuity that may be sanctioned by the Mormugao Port Trust in the event of my death while in service and the right to receive on my death any gratuity which having become admissible to me on my retirement may remain unpaid at my death.

Name and address of nominee.	Relationship with employee.	Age.	Contingencies on the happening of which the nomination shall become invalid.	Name, address and relationship of the person, if any to whom the right conferred on the nominee shall pass in the event of the employee or the nominee dying after the death of the employee but before receiving payment of the gratuity.	Amount or share of gratuity payable to each.*
(1)	(2)	(3)	(4)	5	(6)

Dated this ... day of ... 19 ...
at ...

Witnesses to signature:

1. ...
2. ...

Signature of employee

Name in Block letters ...

Designation ...

Staff No. ...

Department ...

Signature of Financial Adviser
& Chief Accounts Officer
Mormugao Port Trust

Dated ...

* Note: This column should be filled in so as to cover the whole amount of gratuity.

FORM 'D'

Nomination for Death-cum-Retirement Gratuity

When the employee has no family and wishes to nominate more than one person.

I, having no family, hereby nominate the persons mentioned below and confer on them the right to receive to the extent specified below any gratuity that may be sanctioned by the Mormugao Port Trust in the event of my death while in service and the right to receive on my death any gratuity which having become admissible to me on my retirement may remain unpaid at my death.

Name and address of nominee.	Relationship with employee.	Age.	Amount or share of gratuity payable to each.*	Contingencies on the happening of which the nomination shall become invalid.	Name, address and relationship of the person if any to whom the right conferred on the nominee shall pass in the event of the employee or the nominee dying after the death of the employee but before receiving payment of the amount.	Amount or share of gratuity payable to each.*
(1)	(2)	(3)	(4)	(5)	(6)	(7)

N. B. — The employee should draw lines across blank space below

the last entry to prevent the insertion of any name after he has signed.

Dated this ... day of ... 19...

Witnesses to signature:

1. ...
2. ...

Signature of employee

Name in Block letters ...

Designation ...

Staff No. ...

Department ...

Signature of Financial Adviser
& Chief Accounts Officer,
Mormugao Port Trust.

Dated ...

- * Note: 1. This column should be filled in so as to cover the whole amount of gratuity.
2. The amount/share of gratuity shown in this column should cover the whole amount/share payable to the original nominee.

FORM 'E'

Nomination for family pension

(vide regulation 59)

I hereby nominate the persons mentioned below, who are members of my family, to receive in order shown below the family pension which may be granted by the Mormugao Port Trust in the event of my death.

Name and address of nominee	Relationship with employee	Age	Whether married or unmarried
-----------------------------	----------------------------	-----	------------------------------

N. B. — The employee should draw lines across blank space below the last entry to prevent the insertion of any name after he has signed.

Dated this ... day of ... 19...

Signature of employee

Name in Block letters ...

Designation ...

Staff No. ...

Department ...

Witnesses to signature:

1. ...
2. ...

Signature of Financial Adviser
& Chief Accounts Officer
Mormugao Port Trust

Dated ...

FORM 'F'

Form of Medical Certificate

(vide regulation 36)

(a) «Certified that I (we) have carefully examined AB son of CD a ... in the ... His age is by his own statement ... years, and by appearance about ... years, I (we) consider AB, to be completely and permanently incapacitated for further service of any kind in the department to which he belongs in consequence of (here state disease or cause). His incapacity does not appear to me (us) to have been caused by irregular or intemperate habits».

Note: If the incapacity is obviously the result of intemperance, substitute for the last sentence: «In my/our opinion his incapacity is the result of irregular or intemperate habits».

If the incapacity does not appear to be complete and permanent the certificate should be modified accordingly and the following addition should be made. I am/we are of opinion that AB, is fit for further service of a less laborious character than that which he has been doing or may, after resting for ... month, be fit for further service of a less laborious character than that which he has been doing.

(b) The object of the alternative certificate (of incapacity) is that an Officer should, if possible, be employed even on lower pay, so that the expense of pensioning him may be avoided. If there be no means of employing him even on lower pay, then he may be admitted to pension; but it should be considered whether, in view of his capacity for partially earning a living, it is necessary to grant to him the full pension admissible under rule.

FORM 'G'

Formal application for pension
(vide regulation 60)

From

To

Sir,

Sub: Application for sanction of pension.

I beg to say that I am due to retire from service with effect from the ... my date of birth being ... I, therefore request that steps may kindly be taken with a view to the pension and gratuity admissible to me being sanctioned by the date of my retirement. I desire to draw my pension by money order/demand draft/in person at the office of the Financial Adviser and Chief Accounts Officer, Mormugao Port Trust.

2. I hereby declare that I have neither applied for, nor received any pension or gratuity in respect of any portion of the service qualifying for this pension and in respect of which pension and/or gratuity is claimed here in nor shall I submit an application hereafter without quoting a reference to this application and the orders which may be passed hereon:

3. I enclose herewith — (i) Two specimen signatures of mine duly attached.

*(ii) A pass port size photograph (2 copies) also duly attested.

†(iii) Two slips each bearing particulars are of my left thumb and finger impressions.

††4. My present address is ... and my address after retirement will be ...

Dated:

Signature

Name in Block letters ...

Designation ...

Staff No. ...

Department ...

Notes: * This is not necessary in the case of an Officer.

† This is required only in the case of persons who are illiterate and cannot sign their names.

†† Any subsequent change of address should be notified to the Head of Office.

FORM 'H'

Mormugao Port Trust

Application for Pension or Gratuity (and Death-cum-Retirement Gratuity)
(vide regulation 61)

1. Name of applicant ...
2. Father's name (and also husband's name in the case of a woman employee) ...
3. Religion and nationality ...
4. Permanent residential address showing Village/Town, District and State ...
5. (a) Present or last appointment including name of establishment ...
- (b) Present or last substantive appointment ...
6. Date of beginning of service ...
7. Date of ending of service ...
8. Length of service with details of interruptions and non-qualifying periods ...

9. Class of pension or gratuity applied for an cause of application ...

10. Average emoluments ...

11. Proposed pension ...

12. (a) Proposed gratuity ...

(b) Proposed death-cum-retirement gratuity ...

13. Date from which pension is to commence ...

14. (a) Place of payment ...

(b) Whether nomination made for —

(i) Family pension ...

(ii) D. C. R. Gratuity ...

15. Date of applicant's birth (Christian era) ...

16. Height ...

17. (a) Identification marks ...

(b) Thumb and Finger impressions ...

Thumb, Fore finger, Middle finger, Ring finger, Little finger.

NOTE. — Persons who are required to send along with this application certified copies of pass port size photographs are exempted from recording their left hand thumb and finger impressions if they are literate enough to sign their names in English, Hindi or the official regional language.

18. Date on which the applicant applied for pension ...

Service Particulars.

19. Date of beginning of Service ...

Date of ending of service ...

Total Service ...

Y. M. D.

Less not counting for pension —

(i) Leave exceeding 120 days ...

(ii) Leave without pay ...

(iii) Period of Suspension, etc. ...

Total service counting for pension ...

20. Remarks by the Head of the Department:

1. As the character and past conduct of applicant

2. Explanation of any suspension or degradation

3. Regarding any gratuity or pension already received by applicant

4. Any other remarks ...

5. Specific opinion of the Head of Department whether the service claimed is established and should be admitted or not

Signature of Head of the Department.

ACCOUNTS DEPARTMENT

Service particulars verified and calculations checked:

Pension admissible Rs. p. m.

D. C. R. Gratuity Rs.

Family pension (Payable after death of the pensioner) Rs.

Verified and found correct.

F. A. & C. A. O.

Orders of the sanctioning authority
Chairman.

FORM 'I'

Pension payment order
(vide regulation 65)

Pensioner (1)	Place of birth (2)	Age		Height		Colour (7)	Personal appearance and particular marks (8)	Amount of monthly pension (9)	Term of pension (10)	Why recommended (11)	Remarks (12)		
		Years (3)	Months (4)	Feet (5)	Inches (6)								
<p>Certified that the finger prints were taken in my presence and under my personal superintendence from the left hand of the individual.</p> <p>Financial Adviser and Chief Accounts Officer, Mormugao Port Trust.</p>								<p>Rs. Ps. (rupees)</p>		<p>Gratuity Rs.</p>			
<p>Month and date</p> <p>January February March April May June July August September October November December</p>								<p>For what month</p>		<p>Amount Rs. Ps.</p>		<p>Initials of disbursing Officer.</p>	
<p>Financial Adviser and Chief Accounts Officer, Mormugao Port Trust.</p>								<p>Financial Adviser and Chief Accounts Officer, Mormugao Port Trust.</p>		<p>Mormugao ... of ... 19...</p>			

FORM 'J'

Form of family pension

[vide regulation 75 (1)]

No. ...

Mormugao Port Trust

..... Department

Dated the ...

Subject: Payment of family pension in respect of late Shri/Smt. ...

The undersigned has learnt with regret the death of Shri/Smt. ... a ... in this Department and is directed to in- (designation)

form you that under the Mormugao Port Employees (Pension and Gratuity) Regulations, 1966 you are entitled to Family Pension for life/till attaining the date of majority.*

I am accordingly to suggest that formal claim of the grant of Family Pension may be submitted by you in the enclosed form 'J-A' along with the following documents:

1. Death Certificate.
2. Two copies of a passport size, photograph duly attested by a Gazetted Officer/District Magistrate/Registrar.
3. Guardianship certificate when pension is admissible to the minor children.

...
(Signature)

...
(Designation)

To,

...
...
...

* Where family pension is admissible to the minor children.

FORM 'J-A'

Application for family pension

[vide regulation 75 (1)]

Application for a family pension for the family of late Shri/Smt. ... a ... in the ... Department of the Mormugao (Designation)

Port Trust.

1. Name of the applicant.
2. Relationship to the deceased employee/pensioner.
3. Date of retirement, if the deceased was a pensioner.
4. Date of death of the employee/pensioner.
5. Names and ages of surviving kindred of the deceased:

Name Date of birth
(by Christian era)

Widow/widower.

Sons.

Unmarried Daughters.

6. Name of Treasury/Sub-Treasury at which payment is desired.

7. Signature or left-hand thumb impression (in the case of those who are not literate enough to sign their name).

8. Descriptive roll of ... widow/widower/guardian of the minor children of late ...

(i) Date of birth (by Christian era).

(ii) Height.

(iii) Personal marks, if any, on hand or face.

- (iv) Left-hand thumb and
finger impressions.
Small Ring Middle Index Thumb
finger finger finger finger

9. Full address of the applicant.

Attested by —

- (1) ...
(2) ...

Witness —

- (1) ...
(2) ...

Note: The descriptive roll (column 8) and signature or left hand thumb and finger impressions accompanying application for family pension should be in duplicate (in two separate sheets) attested by two gazetted officers or persons of respectability in the town, village or Pargana in which the applicant resides.

FORM 'K'

Form for sanctioning family pension
[Vide regulation 75 (iii)]

1. Name of the employee.
2. Father's name (and also husband's name in the case of a woman employee).
3. Religion and Nationality.
4. Last appointment held including name of establishment.
5. Date of beginning of service.
6. Date of ending service.
7. Substantive appointment held.
8. Length of continuous qualifying service prior to death.
9. 'Pay' as per regulation 53(2).
10. Amount of family pension admissible.
11. Date from which pension is to commence.
12. Place of payment (Government Treasury or sub-Treasury).

The undersigned having satisfied himself of the above particulars of late Shri/Smt. ... hereby orders the grant of a family pension of Rs. ... p. m. to Shri/Smt. ... which may be accepted by the Accounts Officer as admissible under the rules.

Signature and Designation of
the Sanctioning Authority

FORM 'L'

(Vide regulation 76)

To.

The Financial Adviser & Chief Accounts Officer,
Mormugao Port Trust
Mormugao — Goa.

Subject: Payment of family pension in
respect of the late Shri/Smt.

Sir,

I regret to inform you of the death of Shri/Smt. ... formerly a ... of the ... Department and to enclose a formal claim of (Designation) the grant of family pension in the prescribed form 'J' along with the following documents: —

1. Death Certificate.
2. The Pensioner's part of the pension Payment Order.
- * 3. Guardianship certificate.
- * 4. Two copies of a passport size photograph duly attested by a Gazetted Officer/District Magistrate/Registrar.

Yours faithfully,
(Signature)

* Applicable where the family pension is payable to the minor children through their natural guardian.

FORM 'M'

Application for commutation of pension
(vide regulations 82, 84, 85 and 86)

Part I

I ... desire to commute Rs. ... Ps. of
my pension *† of Rs. ... Ps. a month. I
certify that I have answered correctly each
and all of the questions below:

Space for
photograph

Place
Date

Signature

Name in block letters ...
Designation ...
Staff No. ...
Department ...
Address ...
...
...

Questions.

Answers.

1. What is the date of your birth?
2. (†) How much of your pension do you wish to commute?
3. (a) Have you already commuted a portion of your pension? If so, give particulars.
(b) Has any application from you for commutation of pension ever been rejected or have you ever accepted/declined to accept commutation of pension on the basis of an addition of years to your actual age recommended by the medical authority? If so, give particulars.

* The class of pension (superannuation, retiring, invalid, compensation), should be stated, and if the amount is not known, a suitable modification should be made in.

The portion of the pension to be commuted should consist of whole rupees or of rupees and a multiple of five paise.

(†) In case of anticipatory pension, the pensioner may, if he desires indicate his intention to commute the maximum amount in the event of his final pension being more than the anticipatory pension. In a such case, the amount proposed to be commuted may alternatively be expressed in terms of a percentage of full pension within the maximum permissible limit. The pensioner may also indicate whether he anticipates that the final amount of pension that he would be entitled to commute might exceed Rs. 25/- in case he desires to commute a sum exceeding Rs. 25/-.

Questions.

Answers.

4. If you are already drawing your pension, quote the number of your pension payment order.
5. Without prejudice to the discretion of the sanctioning authority from what date approximately do you wish this commutation to have effect?
6. State the amount of Provident Fund money (including any non-refundable withdrawals) and the amount of death-cum-retirement gratuity received by you.

Place
Date

Signature of employee.

Forwarded for report to

Place
Date

Financial Adviser and Chief Accounts Officer

Part II

Subject to the medical authority's recommending commutation and the conditions prescribed in Part II of this form, the lump sum payable will be as stated below —

Sum payable if the commutation becomes absolute before the applicant's next birth day which fall on ...

On the basis of normal age,		
i.e., ... years.		Rs.
do. do		plus.
1 year, i.e. ... years		Rs.
do. do		plus.
2 years, i.e. ... years		Rs.
do. do		plus.
3 years, i.e. ... years		Rs.
do. do		plus.
4 years, i.e. ... years		Rs.
do. do		plus.
5 years, i.e. ... years		Rs.

Sum payable if the commutation becomes absolute after the applicant's next birth day but before his next birth day but one ... cont.

On the basis of normal age,		
i.e., ... years.		
do. do		plus.
1 year, i.e. ... years		Rs.
do. do		plus.
2 years, i.e. ... years		Rs.
do. do		plus.
3 years, i.e. ... years		Rs.
do. do		plus.
4 years, i.e. ... years		Rs.
do. do		plus.
5 years, i.e. ... years		Rs.

Station

Date

Signed ...

Financial Adviser and Chief
Accounts Officer

Part III

The commutation for lump payment of the pension of ... is administratively sanctioned on the basis of the report of the Accounts Officer contained in Part II above. The table of present values, on the basis of which the calculation in the Accounts Officer's report have been made is subject to alteration at any time without notice and consequently they are liable to revision before payment is made. The sum payable will be the sum appropriate to the applicant's age on his birthday next after the date on which the commutation becomes absolute or, if the medical authority directs that years shall be added to that age, to the consequent assumed age.

2. The Medical Officer, Mormugao Port Trust, has been requested to arrange for the medical examination and inform Shri ... direct when he should appear for the examination. He should bring with him the enclosed form 'N' with the particulars required in Part I completed except for the signature.

Station

Date

Signature

Designation

(Name and address of the applicant)

FORM 'N'

Medical Examination by the Medical Authority

(vide regulation 86)

PART I

Statement by the applicant for commutation of a portion of his pension.

The applicant must complete his statement prior to his examination by the Medical authority and must sign the declaration appended thereto in the presence of that authority.

1. State your name in full in block letters.
2. State place of birth.
3. State your age and date of birth.

4. Furnish the following particulars concerning your family:—

Father's age if living and state of health.	Father's age at death and cause of death.	Number of brothers living and their ages and state of health.	Number of brothers dead, their ages at death and cause of death.
---	---	---	--

Mother's age if living and state of health.	Mother's age at death and cause of death.	Number of sisters living and their ages and state of health.	Number of sisters dead, their ages at death and cause of death.
---	---	--	---

5. Have any of your near relations suffered from tuberculosis (consumption scrofula), cancer, asthma, fits, epilepsy, insanity or any other nervous disease?
6. Have you ever been abroad? Where and for what period and how long since.
7. Have you ever served in the Navy, Army, Air Force, or in any Government Department?

8. Have you ever been examined—

- (a) For life insurance, or/and
- (b) By any Government Medical Officer or State Medical Board, civil or military? If so, state details and with what result?
- (c) Have you ever been granted leave on medical certificate? If so, state period of leave and nature of illness?

9. Have you ever—

- (a) Had small-pox, intermittent or any other fever, enlargement or suppuration of glands, spitting of blood, asthma, inflammation of lungs, pleurisy, heart disease, fainting attacks, rheumatism, appendicitis, epilepsy, insanity, or other nervous disease, discharge from or other disease of the ear, syphilis, gonorrhoea,

or

- (b) Had any other disease or injury which required, confinement to bed or medical or surgical treatment,

or

- (c) Undergone any surgical operation,

or

- (d) Suffered from any illness, wound or injury sustained while on active service during the war.

10. Have you rupture?

11. Have you varicose veins or piles?

12. Is your vision in each eye good?

13. Is your hearing in each ear good?

14. Have you any congenital or acquired malformation, defect or deformity?

15. When were you last vaccinated?

16. Is there any further matter concerning your health and not covered by the above questions which should be communicated to the medical authority?

DECLARATION BY APPLICANT

I declare all the above answers to be to the best of my belief, true and correct.

I will fully reveal to the medical authority all circumstances within my knowledge that concern my health and fitness.

I am fully aware that by wilfully making a false statement or concealing a relevant fact I shall incur the risk of losing the commutation I have applied for and having my pension withheld or withdrawn under the Mormugao Port Trust Pension Rules.

Signed in presence of ...

Applicant's signature.

Name in Block letters ...

Designation ...

Staff No. ...

Department ...

Signature and designation of medical authority.

Part II

(To be filled in by the examining medical authority)

1. Apparent age ...
2. Height ...
3. Weight ...
4. Girth of abdomen at level of umbilicus ...
5. Pulse rate —
 - (a) Sitting ...
 - (b) Standing ...
 What is character of pulse? ...
6. What is condition of arteries ...
7. Blood pressure —
 - (a) Systolic ...
 - (b) Diastolic ...
8. Is there any evidence of disease of the main organs —
 - (a) Heart ...
 - (b) Lungs ...
 - (c) Liver ...
 - (d) Spleen ...
9. Does chemical examination of urine show (i) albumen and (ii) sugar? (State specific gravity) ...
10. Has the applicant a rupture? If so state the kind and if reducible ...
11. Describe any scars or indentifying marks ...
12. Any additional information ...

Part III

I/We have carefully examined, A,B, and am/are of opinion that ... He is/he is/not in good bodily health and has the prospect of an average duration of life/is not a fit subject for commutation or (in the case of an impaired life which is yet considered a fit subject for commutation) as ... is suffering from ... his age for purpose of commutation, i.e. his age next birth day should be taken to be ... years more than his actual age.

Station:

Medical Authority.

Dated:

TABLE II

Commutation Table prescribed by the Central Government effective from 1st November 1963

(vide regulation 79)

Age Next birthday.	Commutation Value expressed as number of years' purchase.	Age Next birthday.	Commutation Value expressed as number of years' purchase.
17	20.33	51	13.07
18	20.22	52	12.75
19	20.11	53	12.42
20	19.99	54	12.09
21	19.87	55	11.75
22	19.75	56	11.42
23	19.61	57	11.08
24	19.48	58	10.73
25	19.33	59	10.39
26	19.18	60	10.05
27	19.02	61	9.70
28	18.86	62	9.36
29	18.69	63	9.02
30	18.51	64	8.68
31	18.32	65	8.34
32	18.13	66	8.00
33	17.93	67	7.67
34	17.72	68	7.34
35	17.50	69	7.02
36	17.28	70	6.70
37	17.05	71	6.39
38	16.80	72	6.09
39	16.56	73	5.80
40	16.30	74	5.51
41	16.04	75	5.23
42	15.77	76	4.96
43	15.49	77	4.70
44	15.21	78	4.45
45	14.92	79	4.20
46	14.62	80	3.97
47	14.32	81	3.75
48	14.02	82	3.54
49	13.71	83	3.34
50	13.39	84	3.15
		85	2.97

Note: This table is based on a rate of interest of 4.00 per cent per annum and takes effect from the 1st November 1963.

(2nd time)

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